IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE A.K.BASHEER

WEDNESDAY, THE 5TH SEPTEMBER 2007 / 14TH BHADRA 1929

OP.No. 25595 of 2000(V)

PETITIONER:

M.C.VISHNU NAMBOODIRI, AGED 64 YEARS,
S/O VASUDEVAN NAMBOODIRI,
SOUTH MANCHIRA, WEST NADA, GURUVAYOOR

BY ADV. SRI.K.RAMAKUMAR
SRI.T.RAMPRASAD UNNI

RESPONDENTS:
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1. STATE OF KERALA, REP. BY THE SECRETARY,
REVENUE DEPARTMENT, TVM.

2. THE SECRETARY, GURUVAYOOR MUNICIPALITY
GURUVAYOOR

3. GURUVAYOOR DEVASWOM BOARD,
REP. BY ITS SECRETARY, GURUVAYOOR.

4. SECRETARY, LOCAL ADMINISTRATION DEPARTMENT,
TVM.

BY ADV. SRI.U.K.RAMAKRISHNAN
SMT.P.VIJAYAMMA
SMT.UMA GOPINATH
SRI.V.KRISHNA MENON
GOVERNMENT PLEADER SRI.K.SANDESH RAJ

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 05/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1- TRUE COPY OF THE LETTER DATED 18.12.97 ISSUED BY THE 4TH RESPONDENT

EXT.P2- TRUE COPY OF THE ORDER DATED 6.11.99 ISSUED BY THE FIRT RESPONDENT

EXT.P3- TRUE COPY OF THE DECISION TAKEN BY THE THIRD RESPONDENT

EXT.P4- TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER

(TRUE COPY)

P.A TO JUDGE

K.S.RADHAKRISHNAN & A.K.BASHEER, JJ

O.P. 25595/2000

Dated this the 5th day of September, 2007

JUDGMENT

Radhakrishnan, J

Writ petition is preferred seeking a writ of certiorari to quash Exts.P1 and P2 and also for a direction to the second respondent to consider and pass appropriate orders on Ext.P4. Ext.P1 is the Government Letter dated 18.12.1997 issued in pursuance of the direction in the judgment in O.P.2071/1993 prohibiting large scale constructions within 100 metres of the outer wall of the Guruvayur Temple. Ext.P2 is another order of the Government dated 6.11.1999 stating that only lands which fall within ten metre, would be acquired.

2. Learned Standing Counsel appearing for the Guruvayur Devaswom has submitted that Supreme Court has passed an order upholding the earlier Government order dated 7.3.1998 permitting acquisition of lands within 25 metres of the outer walls of the Guruvayur Temple. Since Exts.P1 and P2 orders do not survive, no relief can be granted to the petitioner. This petition lacks merit and is, therefore, dismissed.

K.S.RADHAKRISHNAN
Judge

A.K.BASHEER
Judge

mrcs